



Congress of the United States House of Representatives

The Honorable Adam H. Putnam **Testimony before the** **House Committee on Energy and Commerce** **Subcommittee on Health**

Hearing on “How Do We Fix Our Ailing Food Safety System”

March 11, 2008

I appreciate the opportunity to provide written testimony to the House Committee on Energy and Commerce, Subcommittee on Health, on an issue of national significance - protecting the safety and security of our country's food supply.

Continued incidences of food-borne illness, including over 500 cases in 43 states of people sickened in a national *Salmonella* outbreak, have called into question the integrity of the system designed to protect our nation's food supply for the safety and security of American consumers. In addition, last year's outbreak said to be associated with Mexican peppers also caused significant disruptions to the food chain network and those that produce agricultural goods for our nation.

While the American food supply continues to be one of the safest in the world, our governing food safety authorities are outdated and must be strengthened to ensure the highest level of food safety standards, both for goods produced domestically and those imported from abroad. New mandatory food safety requirements are needed all along the food chain - from farm, harvest, processing, packing, distribution to retail outlet, and finally to consumers - to identify and prevent potential sources of food-borne illness.

The Subcommittee should also note: a recently released government report highlighting flaws in federal oversight of food safety called for Congress to take action to maintain the safety and security of our nation's food supply. The January 22, 2009 report by the Government Accounting Office (GAO) HIGH-RISK SERIES Revamping Federal Oversight of Food Safety (GAO-09-271) recommended enactment of “*comprehensive, uniform, and risk-based food safety legislation.*”

The *Safe Food Enforcement, Assessment, Standards and Targeting Act* (Safe FEAST” Act), H.R. 1332, which I have cosponsored with Representative Jim Costa, would help ensure the highest level of food safety protection for our nation's food supply, both for goods produced domestically and those imported from abroad.

It would reform and enhance our governing food safety statutes to reflect modern scientific standards, as well as put into place sound and strong policies to help prevent food contamination.

The comprehensive, bipartisan food safety measure would modernize our food safety network and would enact new food safety standards all along the food chain - from farm, harvest, processing, packing, distribution to retail outlet - to identify and prevent potential sources of food-borne illness.

The Safe FEAST Act calls for balanced, science-based food safety requirements for farm and food companies, domestically and abroad. This will require implementing the principles of risk assessment and risk management to improve safeguards in our food supply. The bill focuses on strengthening preventative measures, building upon existing regulations with tough - but commonsense-standards while expanding the tools of the Food and Drug Administration (FDA) to more effectively respond to food safety incidents in this nation.

H.R. 1332 expands the relationship between federal and state agencies to better control food safety threats and, for the first time, grants the FDA new authorities to recall contaminated food in the case of adulteration. To ensure the highest level of food safety for American consumers, the bill requires all domestic and foreign food companies selling food in the U.S. to conduct a Hazard Analysis and Risk-Based Prevention Control Plan that identifies potential sources of contamination, outlines appropriate food safety controls, and requires verification that the food safety controls implemented are adequate to address the risks of food-borne contamination.

Similarly, to ensure that food products coming into the United States from international sources are safe, imported goods would have to adhere to the same safety and quality standards as set by the FDA, which requires them to complete a Foreign Suppliers Quality Assurance Program, documenting the food safety measures and controls for FDA review.

The bill also establishes key new standards for fresh produce. It improves and expands upon the FDA's *Good Agricultural Practices* for the safe production of fruits and vegetables. For those produce items that are deemed to pose the highest risk, the bill calls for the issuance of mandatory science-based regulations to prevent the occurrence of food borne illness at all potential points of hazard, from farm to table.

The Safe FEAST Act strengthens the relationship between federal, state and foreign government agencies by increasing cooperation to better control food safety threats and calling on the expertise and resources of these partners to respond to food safety occurrences in a more timely and efficient manner.

Collaboration with state and industry partners is key. As a good example, my home state of Florida has adopted mandatory regulations on Good Agricultural Practices (T-GAP) based upon sound scientific research, which provides traceability and establishes practices and procedures for the safe handling of tomatoes through all channels of commerce. These state efforts should be broadened, through vehicles such as the Safe FEAST Act, to provide greater protection and traceability in the food supply network at the national and international level.

Finally, to better control food safety threats, the Safe FEAST Act directs the FDA to adopt a risk-based approach to inspections, requiring inspection of all facilities on a regular basis including annual and biannual reviews for high risk facilities. It grants the FDA statutory power to recall contaminated food in the case of adulteration, gives the FDA authority to access food safety production records during food-borne emergencies, and puts into place stiff penalties for noncompliance with recalls that could result in death or serious illness.

The Safe FEAST Act carries wide bipartisan support with several cosponsors among the committees of jurisdiction, and has received endorsements from national produce, food safety, and other related organizations that have a high stake in maintaining safety and quality standards for American consumers, including the Grocery Manufacturers Association, the National Restaurant Association, and United Fresh Produce. H.R. 1332 is also substantially similar to the Durbin/Burr Bill (S. 510) in the Senate, which has wide support among consumer, food safety and production/retail groups.

Thank you again for the opportunity to provide written testimony, and I appreciate the Subcommittee's attention to this most important issue to safeguard and secure our nation's food supply.